

**PLEASE STAMP TO ACKNOWLEDGE RECEIPT OF THE FOLLOWING**

**PATENT**

**ATTORNEY DOCKET . 27459-803/080**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

MOURA et al.

Serial No.: 08/697,080

Filed : August 20, 1996

For: HYBRID ACCESS SYSTEM  
EMPLOYING ACKNOWLEDGMENT  
SUPPRESSION

TERMINAL DISCLAIMER

February 17, 1998/JDJ

)  
) Group Art Unit: 2603  
)  
) Examiner: HOM, S.  
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In re Patent of:	)	
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MOURA et al.	)	Group Art Unit: 2603
	)	
Application No. 08/697,080	)	Examiners: Hom & Olms
	)	
Filed: August 20, 1996	)	
	)	
For: HYBRID ACCESS SYSTEM	)	
EMPLOYING ACKNOWLEDGMENT	)	
SUPPRESSION	)	
(Retitled)	)	
	)	
Assignee: Hybrid Networks, Inc.	)	

Honorable Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

PETITION TO AMEND INVENTIVE ENTITY UNDER 37 CFR § 1.48 (b)

In a Decision dated May 1, 1997, the Office allowed correction of the inventive entity in  
the Parent Application, Serial No. 08/426,920 filed April 21, 1997, as follows:

Eduardo J. Moura,  
Jan M. Gronski,  
Frederick Enns (added),  
Robert L. Packer (added), and  
Robert A. Luxenberg (added).

Copies of the Decision and of corrected Declarations, previously filed in the Parent Application, are attached to the instant Petition.

Because the instant application is a Rule 60 Continuation of the Parent Application, correction of the inventive entity in the Parent Application carries through to the instant application. Because of amendments to the instant application, the inventive entity of the claimed subject matter has changed. Specifically, Frederick Enns and Robert A. Luxenberg, who contributed to features not claimed in the instant application, should be deleted; the correct inventive entity for the allowed claims in the instant application is:

Eduardo J. Moura,  
Jan M. Gronski, and  
Robert L. Packer.


Thus, pursuant to 37 CFR § 1.48(b) and MPEP 201.03, applicants respectfully request this correction to the inventive entity.

Applicants request that Deposit Account No. 06-0115, of Farkas & Manelli, PLLC, be charged \$130.00 as required by 37 CFR § 1.17 (h).

If there are any other fees required for consideration of this document, or for any other reason, please charge such fees to the Farkas & Manelli, PLLC Deposit Account No. 06-0115.

Respectfully submitted,

FARKAS & MANELLI, PLLC

By   
Jerome D. Jackson

Farkas & Manelli PLLC  
1233 20th Street, N.W.  
Suite 700  
Washington, DC 20036

Reg. No. 33,186  
Tel: (202) 778-1130  
Fax: (202) 887-0336

DATED: 2/17/98

FOR UTILITY/DESIGN  
CIP/PCT NATIONAL/PLANT  
ORIGINAL/SUBSTITUTE/SUPPLEMENTAL  
DECLARATIONS

RULE 63 (37 C.F.R. 1.3)  
DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CUSHMAN  
FORM

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the INVENTION ENTITLED ASYMMETRIC HYBRID ACCESS SYSTEM AND METHOD

the specification of which (CHECK applicable BOX(ES) )

X → ☐ is attached hereto.  
X → ☒ was filed on April 21, 1995 as U.S. Application No. 08/426,920 (now U.S. Pat. 5,586,121)  
BOX(ES) ☒ was filed as PCT International Application No. PCT/ PCT/US/96/05453 on April 19, 1996  
→ and (if applicable to U.S. or PCT application) was amended on July 29, 1996 (US) August 12, 1996 (PCT)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing date of this application:

PRIOR FOREIGN APPLICATION(S)		Day/MONTH/Year Filed	Date first Laid- open or Published	Date Patented or Granted	Priority Claimed	
Number	Country				Yes	No
					<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>

I hereby claim domestic priority benefit under 35 U.S.C. 119/120/365 of the indicated United States applications listed below and PCT international applications listed above or below and, if this is a continuation-in-part (CIP) application, insofar as the subject matter disclosed and claimed in this application is in addition to that disclosed in such prior applications, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of each such prior application and the national or PCT international filing date of this application:

PRIOR U.S. PROVISIONAL, NONPROVISIONAL AND/OR PCT APPLICATION(S)			Status pending, abandoned, patented	Priority Claimed	
Application No. (series code/serial no.)	Day/MONTH/Year Filed			Yes	No
				<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint Lawrence Harbin, Reg. No. 27644, Farkas & Manelli, PLLC, 1233 20th Street, NW, Suite 700, Washington, DC 20036 whose telephone number (202) 778-1139 (to whom all communications are to be directed to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent.

(1) INVENTOR'S SIGNATURE: Eduardo J. MOURA Date: Feb 4, 1997

First	Middle Initial	Family Name
Eduardo	J.	MOURA
Residence	San Jose	CA
City	State	Country of Citizenship
Post Office Address	3509 Mt. Davidson Court, San Jose, CA	
(Include Zip Code)	95124	

(2) INVENTOR'S SIGNATURE: Jan R. Gronska Date: 2/26/97

First	Middle Initial	Family Name
Jan	Maksymilian	GRONSKI
Residence	Palo Alto	CA
City	State	Country of Citizenship
Post Office Address	705 Newell Road, Palo Alto, CA	
(Include Zip Code)	94303	

(FOR ADDITIONAL INVENTORS, check box ☒ to attach CDC 116-2 same information for each re signature, name, date, citizenship, residence and address.)

## DECLARATION AND POWER OF ATTORNEY

(continued)

## ADDITIONAL INVENTORS

(3) INVENTOR'S SIGNATURE:

Date:

3/18/97

Robert	L	PACKER
First	Middle Initial	Family Name
Residence	Los Gatos	CA
City	State/Foreign Country	Country of Citizenship
Post Office Address	16095 Redwood Lodge Road, Los Gatos, CA	
(include Zip Code)	95030	

(4) INVENTOR'S SIGNATURE:

Date:

3/7/97

Robert	A	LUXENBERG
First	Middle Initial	Family Name
Residence	Woodside	CA
City	State/Foreign Country	Country of Citizenship
Post Office Address	156 Alta Vista Road, Woodside, CA	
(include Zip Code)	94062	

(5) INVENTOR'S SIGNATURE:

Date:

2/26/97

Frederick		ENNS
First	Middle Initial	Family Name
Residence	Menlo Park	CA
City	State/Foreign Country	Country of Citizenship
Post Office Address	545 Hobart St., Menlo Park, CA	
(include Zip Code)	94025	

(6) INVENTOR'S SIGNATURE:

Date:

First	Middle Initial	Family Name
Residence		
City	State/Foreign Country	Country of Citizenship
Post Office Address		
(include Zip Code)		

(7) INVENTOR'S SIGNATURE:

Date:

First	Middle Initial	Family Name
Residence		
City	State/Foreign Country	Country of Citizenship
Post Office Address		
(include Zip Code)		

(8) INVENTOR'S SIGNATURE:

Date:

First	Middle Initial	Family Name
Residence		
City	State/Foreign Country	Country of Citizenship
Post Office Address		
(include Zip Code)		

(9) INVENTOR'S SIGNATURE:

Date:

First	Middle Initial	Family Name
Residence		
City	State/Foreign Country	Country of Citizenship
Post Office Address		
(include Zip Code)		

SOLE/JOINT

As a below named inventor, I hereby declare: THAT I verily believe I am the original, first and sole (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the invention described and claimed in United States Application No. 08/426,920, filed on April 21, 1995 and entitled:

ASYMMETRIC HYBRID ACCESS SYSTEM AND METHOD (now U.S. Patent 5,586,121)

that the subject matter of claim(s) Nos. 1-61 of U.S. Patent 5,586,121  
x one ) ☐ per Amendment filed \_\_\_\_\_

box only) ☐ as allowed \_\_\_\_\_

was part of my or our invention and was invented before the filing of the original application, above identified, and of its parent application(s) (if this is a continuing application thereof) for such invention; that I have reviewed and understand the contents of the specification, including (to the best of my ability) the claim(s), as above amended/allowed; that I acknowledged my duty to disclose all information known to me to be material to patentability of this application (including, if this is a CIP, in so far as the subject matter disclosed and claimed in this application is in addition to that disclosed in said parent application(s), my duty to disclose all information known to me to be material to patentability which became available between the filing date of said parent application(s) and the national or international filing date of this application) in accordance with 37 C.F.R. 1.56.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

(1) Inventor's Signature Eduardo J. Moura Date Feb 4, 1997

Inventor's Name(typed) Eduardo J. MOURA  
 First Middle Initial Family Name

(2) Inventor's Signature Jan H. Gronski Date 2/26/97

Inventor's Name(typed) Jan M. GRONSKI  
 First Middle Initial Family Name

(3) Inventor's Signature Robert L. Packer Date 3/19/97

Inventor's Name(typed) Robert L. PACKER  
 First Middle Initial Family Name

(4) Inventor's Signature Frederick E. Enns Date 2/26/97

Inventor's Name(typed) Frederick E. ENNS  
 First Middle Initial Family Name

(5) Inventor's Signature Robert A. Luxenberg Date 3/7/97

Inventor's Name(typed) Robert A. LUXENBERG  
 First Middle Initial Family Name